



FloorPrep

Legislative Digest

Thursday, April 22, 1999

J.C. Watts, Jr.
Chairman
4th District, Oklahoma

House Meets at 10:00 a.m. for Legislative Business

Anticipated Floor Action:

Motion to Go to Conference on H.R. 1141 (FY 1999 Supplemental Appropriations Act)

H.R. 999—Beaches Environmental Assessment, Cleanup, and Health Act



Motion to Go to Conference on H.R. 1141 (FY 1999 Supplemental Appropriations Act)

Floor Situation: Mr. Young (FL) or a designee is expected to offer a motion to go to conference on H.R. 1141 as its first order of business today. A motion to instruct may be made immediately after this request and before the chair appoints conferees. Instructions are considered the prerogative of the minority and are debatable for one hour.

Summary: The motion, if agreed to, will establish a House-Senate conference to resolve differences between the House version of H.R. 1141—which passed the House by a vote of 220-211 on March 24, 1999—and the Senate version, which passed the Senate by unanimous consent also on March 25. Once agreed to, the motion permits the chair to appoint conferees. Details of a possible motion to instruct were unavailable at press time.

Views: The Republican Leadership supports the motion to go to conference and opposes any motion to instruct conferees that would weaken the position of House negotiators.

Additional Information: See *Legislative Digest*, Vol. XXVIII, #8, March 19, 1999.



H.R. 999—Beaches Environmental Assessment, Cleanup, and Health Act

Floor Situation: The House will consider H.R. 999 after it appoints conferees on H.R. 1141. Yesterday, the Rules Committee granted an open rule that provides one hour of general debate, equally divided between the chairman and ranking minority member of the Transportation Committee. The rule makes in order a committee amendment in the nature of a substitute as base text and accords priority in recognition to members who have their amendments pre-printed in the *Congressional Record*. The rule also makes in order a manager's amendment, debatable for 10 minutes equally divided between a proponent and opponent. The chairman of the Committee of the Whole may postpone votes and reduce the voting time on a postponed vote to five minutes, so long as it follows a regular 15-minute vote. Finally, the rule provides one motion to recommit, with or without instructions.

Summary: H.R. 999 requires states to adopt water quality standards that incorporate criteria for protecting human health from pathogens in coastal recreation waters consistent with those published by the Environmental Protection Agency (EPA). The measure authorizes \$30 million in each of FYs 2000-2004 for EPA grants to states, tribes, and local governments to develop and implement programs for monitoring water quality and notifying the public. The bill also requires public notice and comment before publishing performance criteria and establishes procedures for EPA consultation with appropriate federal, state, and local officials.

The bill requires the EPA to maintain a publicly available list of coastal recreation waters where the agency cannot verify the existence of a monitoring and notification program. Finally, the measure requires the EPA to establish and maintain a database of instances when water quality standards for coastal recreation waters have not been achieved.

Assuming appropriation of authorized amounts, CBO estimates that enactment will result in additional discretionary spending of \$30 million annually over the FY 2000-2004 period. In addition, CBO estimates that the EPA will incur additional costs of about \$4 million annually over the FY 2000-2004 period to carry out the measure. The bill was introduced by Mr. Bilbray *et al.* and was reported by the Transportation Committee by voice vote on April 15, 1999.

Amendments: At press time, the *Legislative Digest* was aware of the following amendment to H.R. 999:

— *Manager's Amendment* —

Mr. Shuster will offer a manager's amendment, debatable for 10 minutes, to clarify certain provisions of the bill and make other technical corrections. Specifically, the amendment:

- * clarifies that state criteria for pathogens or pathogen indicators for coastal recreation waters must be as protective of human health as EPA criteria;
- * clarifies that the bill authorizes, rather than mandates, EPA to make grants to eligible grantees. As a result, if the Appropriations Committee does not provide funds to the EPA for this purpose, the agency will not be required to take funds away from other Clean Water Act programs to provide grants for monitoring and notification programs;

- * clarifies that the information database authorized in the bill is intended to provide information to the public only on incidences where water quality standards have not been met;
- * clarifies that EPA implementation of a monitoring and notification program will occur only in situations where a state does not have a program that protects public health and safety. The measure does not require the EPA to implement a duplicative federal program when a state already conducts such a program;
- * clarifies that EPA's duty to conduct a monitoring and notification program is subject to the same conditions as a state program that receives grants under the bill (i.e., the measure gives the EPA the same flexibility that states are provided to target available resources to its highest priorities);
- * clarifies that the term "coastal recreation waters" includes only waters that are adjacent to the coastline of the United States. The measure also applies to the Great Lakes;
- * clarifies that Indian tribes with coastal recreation waters may receive grants for monitoring programs;
- * clarifies that federal agencies must implement monitoring programs for federally-owned beaches, such as national seashores; and
- * changes the title of the bill to refer to "Awareness" rather than "Assessment."

Staff Contact: *Susan Bodine, Majority Staff — Subcommittee on Water and the Environment, x5-4360*

Additional Information: See *Legislative Digest*, Vol. XXVIII, #10, April 16, 1999.



PLEASE NOTE: UNDER AN OPEN RULE, MEMBERS MAY OFFER NEW AMENDMENTS TO A BILL AT ANY TIME, REGARDLESS OF WHETHER THEY HAVE BEEN PRE-PRINTED IN THE *CONGRESSIONAL RECORD*.

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